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TAGS: [PGOV](#) [PHUM](#) [KJUS](#) [KWBG](#) [ASEC](#) [IS](#)
SUBJECT: MINISTER OF JUSTICE ON PA RULE OF LAW, SECURITY

Classified By: Acting Principal Officer Greg Marchese
for reasons 1.4 (b,d).

Summary

¶1. (C) Summary: In a September 2 meeting, Minister of Justice Ali Khashan noted that international assistance in the security sector had outstripped efforts to build the capacity of the justice sector. He urged increased donor attention to the latter. He criticized of piecemeal approaches to rule-of-law capacity-building, arguing for a coordinated sector-wide approach, but did not appear to have integrated his Ministry's plans with those of other justice institutions. He identified lack of physical infrastructure and Israeli policies on access and movement as the two key limitations on his Ministry's current activities. End Summary.

Security Sector Outpaces Justice Sector

¶2. (C) In a September 2 meeting in Ramallah, Minister of Justice Ali Khashan spoke positively about international assistance to the Palestinian security sector. "Two years ago, there were thousands of armed groups," he said. "Now we feel secure." He noted, however, that less progress had been made in civilian justice institutions. "It's very important now," he argued, "that we go to work in parallel on the rule of law. We need to concentrate now on this part, to give more donations and help to the justice sector. The justice sector has been in a very difficult situation, especially since the end of the second intifada."

Piecemeal vs. Holistic Approaches to Donor Assistance

¶3. (C) Khashan was critical of the piecemeal approach to justice sector reform taken by the Palestinian Authority (PA) in the past. "Before," he said, "we didn't know what we needed. We would ask donors to 'just help us.'" He also criticized international donors for enabling this approach, arguing that donors should instead implement programs that enhance the coordination and capacity of the larger rule-of-law regime, rather than targeting programs at individual components, such as courts or prisons. "It is important that donors stop dealing directly with the Ministry of Justice, the Judicial Council, the Attorney General," he said. "We need some kind of mechanism to coordinate this."

¶4. (C) Khashan set out a series of three planned initiatives for which the MoJ is currently seeking funding: judicial training ("Justice for the Future"), construction ("Justice Everywhere"), and information technology ("IT Justice"). (Note: Despite his criticism of the piecemeal

approach taken by the PA and donors in the past, Khashan's proposals were Ministry-centric, and did not appear to have been coordinated with other Palestinian rule of law actors. He described his proposal for overseas training of young lawyers and judges in detail without reference to long-running rivalry between MoJ and the Chief Justice over MoJ's previous attempts to engage in judicial training. End Note.)

Limitations: Facilities, Israeli Policies

15. (C) Khashan identified facilities as the most pressing issue. "When I arrived," he said, "we owned only two courthouses. The rest were rented. When you went to court, you didn't know whether it was a court, a supermarket, whatever. We have five or six courthouses now, but we need fourteen or fifteen -- not just courthouses, but justice complexes, with justice records within, and judicial police. There should be a notary public inside, instead of asking someone to come from Hebron to Ramallah in order to have a certificate stamped. And the complexes should have the same design, so people know they are at a court, and feel this is a respectable place."

16. (C) With regard to other challenges, Khashan pointed to limitations imposed by Israeli policies. "If we want to move prisoners from Nablus to Jericho," he said, "we have to coordinate with the Israelis first. And sometimes this takes lots of time. If there is no (prior) coordination, and (the police) still travel, they can be arrested. And with a dangerous prisoner, they need to carry small arms, which they

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cannot. Imagine -- guarding a dangerous prisoner, with no weapon." He continued, "whenever we try to do (a security operation) in our cities -- suddenly we see the Israelis, when we thought people were secure. It hurts our credibility in the eyes of our people." (Note: The Governor of Hebron raised the same concern in a September 1 meeting with Polchief. End Note.)

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